

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

To: Chief Procurement Officer

'06 JUN -2 P3:55

From: Department of Human Services, Social Services Division, Adult Community Care
Services Branch

Department/Division/Agency

ADMINISTRATION
STATE PROCUREMENT OFFICE
STATE OF HAWAII

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):

Request for Proposals for Recruitment and Licensing of RACCP Case Management Agencies & Recruitment and Certification of RACCP Community Care Foster Homes

Request for extension of contract for not more than six months

Provider Name: Community Ties of America	Total Contract Funds: Not to exceed \$295,000.00	Term of Contract: From: To: December 31,
Provider Address: 214 Overlook Circle, Suite 105 Brentwood, TN 37027	Contract Funds per Year (as applicable). \$590,000.00	July 01, 2006 2006 Not to exceed above time limit

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

This contract began in February 2005 for the above contractor to recruitment and license RACCP Case Management Agencies & recruitment and certify RACCP Community Care Foster Homes

The reason this contract was put out to bid was that the Legislative Auditor determined that Case Management Agencies (CMA) certifying homes that CMAs placed clients in was a conflict of interest and not best practice. Therefore someone independent from the CMAs need to certify the homes.

The program was scheduled to sunset on June 30, 2006 and required legislative action during the 2006 session to continue. Therefore, the Department of Human Services was unable to issue a request for proposal to continue these services. SB 3254 was passed by the legislature and removed the sunset date for licensing of home and community-based case management agencies and the certification of community care foster homes. The Governor has not signed the bill yet however, it is expected that she will do so.

To have a break in the licensing of CMA's and certification of homes and the ongoing monitoring would be extremely impractical, as well as devastating to program operations. Therefore, until the new proposal goes to bid and is awarded it is extremely advantageous for the State of Hawaii to extend the current contract.

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Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

This is an extension of an existing contract for the reasons listed above, to facilitate continuing services.

The process for selection of a service provider will follow all the 103 F procurement procedures. A new request for proposal will be issued and procedures will be followed for the selection of the next provider. When the RFP was originally issued there were only two applicants and the contract was awarded to the applicant who had demonstrated experience in this area and was able to demonstrate how the services would be provided.

A description of the state agency's internal controls and approval requirements for the exempted procurement:

The Department of Human Services has worked closely with the current provider and is part way through a review of their service delivery. At this point services appear to have been delivered successfully and within all the Hawaii Administrative Rules for licensing and certification.

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Director of Human Services; Lillian Koller
Acting Administrator, Social Services Division; Amy Trask
Administrator, Adult Community Care Branch; Patricia Johnson
Program Director, Program Development, ACCSB; Lois Lee
Program Specialist, Program Development; Sandra Joy Eastlack

Direct questions to (name & position):
Sandra Joy Eastlack, Program
Specialist

Phone number:
587-4362

e-mail address:
seastlack@dhs.hawaii.gov

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐

No ☒

I certify that the information provided above is to the best of my knowledge, true and correct.



Department Head Signature

MAY 31 2006

Date

Lillian B. Koller

Typed Name

Director

Position Title

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Chief Procurement Officer's Comments:

The term of the contract extension will terminate one hundred eighty days from the date of exemption approval, or commencement of a new contract, whichever occurs first.

To avoid similar situations in the future, the RFI and RFP should be issued prior to the expiration of the current contract to utilize section 3-149-301, HAR, extension of existing contract during the procurement process. In this instance, upon notification of the removal of the sunset date, SSD should have started the RFI process in anticipation that a new solicitation would be required.

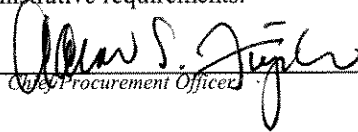
Please ensure adherence to applicable administrative requirements.



Approved



Denied


Chief Procurement Officer

6/13/06
Date

cc:

Administrator
State Procurement Office